



**In the Missouri Court of Appeals
Eastern District
DIVISION THREE**

IN THE INTEREST OF J.A.H.) No. ED92114
)
) Appeal from the Circuit
) Court of Franklin County
) 06AB-JU00004
)
) Honorable Stanley D. Williams
)
) Filed: September 15, 2009
)

OPINION SUMMARY

J.A.H. ("Juvenile") appeals the judgment of the juvenile court finding him to have committed the delinquent act of statutory sodomy in the first degree in violation of section 566.062 RSMo 2000, ordering Juvenile into the legal and physical custody of the Division of Youth Services and ordering Juvenile to register as a Missouri state sex offender.

REVERSED.

Division Three Holds:

The juvenile court erred in entering its judgment adjudicating Juvenile delinquent on the grounds that he committed the act of statutory sodomy in the first degree because there was insufficient evidence from which the court could find that Juvenile committed the acts alleged for the purpose of sexual arousal or gratification. Therefore, the juvenile court's judgment is reversed and the Juvenile is ordered discharged from the effects of that disposition.

Opinion by: Glenn A. Norton, P.J., Mary K. Hoff, J. and Lawrence E. Mooney, J., concur

Attorneys for Appellants: Patricia Harrison
Brad Williams, Rule 13
Laura Stobie, Rule 13
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Attorney for Respondent: Laura M. Sexton

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.